Khums, the Fund of Independence of Bayt Al-Mal



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بسم الله الرحمن الرحیم

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point

In this booklet, our purpose is not to discuss about all sources of income of Islamic Bayt Al-Mal and costs and usages, but we only want to talk about "Khums"

Poisonings Acts of Hypocrites

There are only few jobs easier than "poisoning" the minds of people who have not extended knowledge of a matter, because this is like destroying a building. Sometimes it takes several years to build a building, while it is possible to destroy it in only few seconds.

Therefore, if we see that evil temptations of frails around us have effects on some simple thoughts, it is neither because of power and logic of tempters nor weak principles of Islam, but this is the attribute of poisoning among people who have not enough knowledge of a matter; and the best of fighting this poisoning is to increase the level of knowledge of people in Islamic matters, because if the sun of science and knowledge rise in hearts then witch moths will hide themselves rapidly.

Accordingly, it is decided, by almighty god's will, to prepare and publish brief and precise but calculated and logical booklets in different Islamic issues and those which are related to Shiite and Ahlul Bayt (a.s.) that hypocrites poisoning on them for

.informing the public in order not to remain a place for cavillers

Here it is necessary to acknowledge respectful

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Qom, Amiral Mu'minin School

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Khums, One of Important Islamic Financial Resources

:The point which should be noticed before anything else in this discussion is that

With little study in history and "teachings" of Islam it clears that this religion was not only series of moral and belief orders and rulings about the origin and afterlife, but it bring a governing system with itself which guarantied all needs of a pure and advanced society, and surely one of pillars of his government had been constituting .the Bayt Al-Mal (house of wealth; bursary) for eliminate financial needs

Islamic Bayt Al-Mal (also Baitulmal) which had been founded by entering Prophet (S) to Medina and establishing Islamic government was consisted of funds which were :collected from several sources

(From "Zakat" (Islamic concept of tithing and alms -١

(From "Khums" (one fifth; a kind of Islamic tax -٢

(From "Anfal" (Spoils and also public resources -٣

(From "Kharaj" (Islamic tax on agricultural land -۴

From "Jizya" (tax taken from religious minorities) which any of them has an - ۵ .explained section in Islamic Fiqh and exclusive orders and rulings

Here in this booklet, our purpose is not to discuss about all sources of income of Islamic Bayt Al-Mal and costs and usages, but we only want to talk about "Khums", :because some people protest that

Why Khums has been extended in Shi'aa and consists of any income, while firstly,"

Khums has been mentioned in holy Qur"an only for spoils and secondly, we have no

historic record in which Prophet (S) or Ali (a.s.) or caliphs had took Khums from any source other than spoils while Shiite scholars and Faqihs insist that Khums means one fifth of surplus of income, and it is not limited to spoils of war but any income that can be made from agriculture or ranching, industry or business, working or any other .sources

A person should pay one fifth of his savings after subtracting costs for one year from any income that he had and pay it to Bayt Al-Mal in order to spend in defined usages, and they have no clear proof for this extending; and therefore Sunni scholars are not believed on Khums other than spoils of war and if we assume that Khums has some extending cases and advancements it is forgiven during the major absence of Imam "!(.Zaman (a.s

:Here, some matters should be discussed accurately

What is the "Purpose of the Objectors" from this much of brabble about the issue of-١ ?Khums

?Is Khums exclusive to spoils of war in Qur'an -٢

?(Is Khums exclusive to spoils of war in cabbalas of Prophet (S -٣

?What do cabbalas of "Ahlul Bayt of Prophet (S)" say to us about this matter -۴

?(.Has Khums been "forgiven" during the absence of Imam Zaman (a.s -۵

?Had Khums been taken from people at the beginning of Islam according to history -۶

?Is allocating Khums for Sadat (pl. of Sayyid) Discrimination -٧

Purpose of the Objectors

Some people try hard for proving two issues: one of them is the issue

of unnecessity of Taqlid (following in religious rulings) and the other is the issue of unnecessity of Khums, and we can see clearly that matter has gone far from scientific discussions and has formed into brawling and demagoguism and we know that whenever a discussion goes far from the scientific form and enters into this kinds of paths, surly there are some news behind the curtains and other purposes has made .that

Evidences show that this group has began to fight with these two issues with a calculated plan, because they see that until spiritual leadership of society is performed by great Islamic scholars and Shiite Maraje' (pl. of Marja', person whom others follow him in rulings) and they have financial independence added to their deep influence in society, they are not capable of executing their evil plans for destroying the Islamic beliefs of people and nations, and at this moment they have chosen two :sensitive points

First point is the issue of Taqlid which according to that each Muslim should be either Mujahid (Islamic scholar who is engaged in several Islamic fields of knowledge) or .refer to a Mujtahid in matters about Islamic rulings and follow his orders

They assumed that if they cut this scientific and spiritual relationship between people and religious leaders by poisoning in the issue of Taqlid, they can easily destroy the thoughts of people and until this relationship is connected penetration of them is very .hard

,Therefore, they invite people to disconnect this connection explicitly in some booklets

while we know that the issue of referring to knowledgeable persons is from self evident matters in all aspects of life and any person refers to knowledgeable persons in daily life in medical, architectural, pharmaceutical and other matters and also according to this fact if a person cannot understand Islamic matters from Qur"an and .tradition by himself/herself, refers to a scholar

But they have arisen against this self evident matter for providing their own profits (and invite people to disconnect any scientific relation with their spiritual leaders.(١

Another matter that they have chosen is the issue of Khums and how calculated and .planned they have chosen that

Because we know that the share of Imam which is half of Khums is the financial fund of Shiite seminaries and propagation plans and cultural activities and briefly any religious of scientific activity which needs money; If oppositions of Shi'aa can prevent people from paying Khums and share of Imam by their poisoning, then they can reach .one of their goals which is weakening our seminaries or changing their path

In more clear way, existence of this Islamic order and act of some Muslims to that caused the complete independence of spiritual seminaries and scientific and propagating programs, because we know that the first condition of independence of an organization is its financial independence and this matter executed well in the world of Shi'aa by this Islamic order while the society of Sunni scholar has missed its .independence because of ignorance of this order

Especially, on one great

It has been discussed about the issue of Taqlid and all objections about it in an - ١ .individual explained booklet and all points about the matter have been cleared

Sunni scholars from Syria who had visited Qom seminary and also other different religious institutions in other cities, had been amazed that how the costs of these programs are provided, and when he noticed to the issue of Khums and share of Imam in programs of Shi"aa, he impressed so much that in return to his country one .of his advices to his friends was to pay the Khums

It is wonderful that others wish to execute these programs and achieve this great privilege which is complete independence in religious programs by them, but .obstinate despiteful persons insist on taking this privilege from us

But, they should know that lots of people have informed about this conspiracy and have known about their evil purposes, and accordingly it seems so unlikely that they can achieve their goals, and their fiasco can be predicted by now, and their plan is like !a drawing on the water

?Is Khums Exclusive to Spoils in Qur'an

The issue of Khums has only been mentioned once in holy Qur"an (and also it is not only Khums which has been mentioned in one verse, but there are lots of rulings of Qur"an which have been mentioned only once in Qur"an and there is no doubt that, :this one time expression is enough). And that is verse ۴۱ of Sura Anfal

وَاعْلَمُوا أَنَّمَا غَنِمْتُمْ مِنْ شَيْءٍ فَأَنَّ لِلَّهِ خُمُسَهُ وَلِلرَّسُولِ وَلِذِي الْقُرْبَىٰ وَالْيَتَامَىٰ وَالْمَسَاكِينِ وَابْنِ السَّبِيلِ إِنْ كُنْتُمْ آمَنْتُمْ بِاللَّهِ وَمَا أَنْزَلْنَا عَلَىٰ عَبْدِنَا يَوْمَ الْفُرْقَانِ يَوْمَ الْتَقَى الْجَمْعَانِ ۗ وَاللَّهُ عَلَىٰ كُلِّ شَيْءٍ قَدِيرٌ

And know that

out of all the booty that ye may acquire (in war), a fifth share is assigned to Allah,- and to the Messenger, and to near relatives, orphans, the needy, and the wayfarer,- if ye do believe in Allah and in the revelation We sent down to Our servant on the Day of Testing,- the Day of the meeting of the two forces. For Allah hath power over all (things. (۸:۴۱

Important matter which should be noticed in this verse and in fact all the issue concentrates on it is that does the advantage which has been mentioned in this verse .only consist of spoils of war or expands to any kind of income

In the first form, this verse only expresses the spoils of war and for Khums of other things we should use tradition, news and correct and reliable cabbalas and there is no problem in that Qur"an points to a part of ruling in proportion and other parts express .in tradition

For example, quintet daily prayer has been mentioned explicitly in holy Qur'an, and also it has been pointed to the prayer of Tawaf (circumambulate the Ka'ba) which is one of obligatory prayers, but nothing has been mentioned about Ayaat (signs) prayer which is agreed by all Muslim, Shiites and Sonnies, and Ghazaa prayer and like them; and we cannot find anyone who says because Ayaat prayer has not been mentioned in Qur'an and it is only available in tradition of Prophet (S) should not be performed, or because it has

been pointed to some Ghusls (full ablution) in Qur"an and nothing has been said about some other Ghusls, therefore we should abstain from them. This is a logic which no .Muslim accepts

Therefore, there is no problem that Qur"an has expressed only a part of cases of Khums and has leaved the others to tradition, and there are lots of issues like this in Islamic Fiqh and those who know even a little about issue of Fiqh have understood this matter completely; but we should find that what the meaning of advantage (غنیمت) literally and in commonsense is.

?Indeed, is it exclusive to spoils of war or it consists of any kind of income

The definition which derives from dictionaries is that in the literal root of this word there is nothing about war or the things which is gained from enemy, but it consists of any kind of income. We refer to some parts of famous dictionaries as evidence which :are all accepted by Arab scientist and litterateurs

:We read in the book "Lisan Al-Arab" (Tongue of Arab), vol. ۱۲

و الغنم: الفوز بالشّیء من غیر مشقّه و... الغنم،الغنیمه و المغنم، الفیء... و فی الحدیث الرّهن لمن رهنه له غنمه و علیه غرمه، غنمه زیادته و نمائه و فاضل قیمته... و غنم الشّیء غنما: فاز به

"غنم" means gaining a thing without any hardship and "غنم", "غنیمت" (advantage) and "مغنم" are all in the meaning of "فیء" (and also "فیء" has been meant literally as the things which reach a person without labor ...) and

it has been said in Hadith that pawn is for the person who has taken that pawn and its and benefit is for him, and also its compensation and loss is for him, (غنیمت) advantage means the excess, growth and surplus of the price ... he take that as an "غنم" and ... means that he gained that (غنیمت) advantage

:And we read in the book "Taj Al-Arous" (the bride's brown), vol. ۹

والغنم الفوز بالشیء بلا مشقّه!

!is the thing that person gains without hardship (غنیمت) Advantage

.And also in the book "Al-Qamoos" it has been mentioned with the same meaning

has been said to be derived from the "غنیمت" And in the book "Mufradat" by Ragheb :in the meaning of "sheep" and then it says "غنم" root

ثم استعمل فی کل مظفور به من جهه العدی و غیرهم

.Then it has been used in all things which person gains from enemy or non-enemy

as spoils of war do not "غنیمت" Even persons who consider one of the definitions of deny that its main meaning is more expanded which implies to all things that a person .can gain without hardship

and as the meaning of "غرامت" is used against Fine "غنیمت" In common use advantage "غنیمت" fine is an expanded meaning and consists of any kind of fine, also advantage .has an expanded meaning and implies to any kind of notable income

:"This word has been used in many cases in "Nahjul Balagha

:We read in sermon ۷۶

اِغْتَنِم الْمَهَلْ

.Take advantage from opportunities

:And we read in sermon ۱۲۰

مَنْ اَخَذَ بِها لَحِقَ

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وَ غَنِمَ

.Person who acts as the religion of Allah finds happiness and takes advantages

:And he says in letter ۵۳ to Malik Ashtar

وَ لا تَكُونَنَّ عَلَيْهِمْ سَبُعاً ضارِياً تَغْتَنِمُ اَكْلَهُمْ

Do not be like a cruel animal against people of Egypt in the way that consider eating them as an advantage "غنیمت" and a kind of income for yourself!

:And he says in letter ۴۵ to Osman ibn Hanif

فَوَ اللهِ ما كَنَزْتُ مِنْ دُنْياكُم تِبْراً وَلا اَدَّخَرْتُ مِنْ غَنائِمِها وَفْراً

I swear to Allah that I did reserve no gold from your world, and I did no saving from its advantages or incomes!

:And it is in quotes, in sentence ۳۳۱

اِنَّ اللهَ سُبْحانَهُ جَعَلَ الطّاعَةَ غَنِيمَةَ الْاَكْياسِ

.Indeed pure Allah has made obedience as advantage and benefit of tactful people

:And we read in letter ۳۱

وَ اغْتَنِمْ مَنِ اسْتَقْرَضَکَ فى حَالِ غِناکَ

"If a person asks you for a loan when you are rich, consider this as an advantage غنیمت "

.And there are lots of expressions like these

Opinion of Commentators

Lots of commentators who have discussed about this verse explicitly confessed that Advantage (غنیمت) has mainly a vast meaning and consists of spoils of war and other than them and generally all that a person could gain without hardship. Even those

who consider this verse exclusive to spoils of war confess that there is no such a .limitation in its main meaning, but for another reason its meaning has been limited

:Ghartabi", famous Sunni commentator, writes below this verse in his interpretation"

is the thing that a person (غنيمت) "Literally, "advantage"

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or a group of people gain with endeavor … and know that the consensus (of Sunni scholars) is that the meaning of advantage (غنیمت) in the verse " وَ اعْلَمُوا اَنَّما غَنِمْتُمْ " is assets which reach Muslims by fight and victory over infidels, but it should be considered that this limitation is not in its literal meaning as we said before, but this bond has been set in the common law of religion."

"Fakhr Raazi(١)" affirms in his interpretation that: " الغنم الفوز بالشیء (advantage is that a person gains something". And then after expressing this vast literal meaning adds: "Religious meaning of advantage (غنیمت) is spoils of war (in opinion of Sunni scholars."

And also in "Al-Manar(٢)" interpretation, the definition of advantage (غنیمت) has been expressed in its vast meaning and it has not been limited to spoils of war, although author believes that according to religious bond the vast meaning of this verse should be limited to spoils of war.

Also it has been mentioned in the interpretation of "Rooh Al-Ma'aani" written by Aloosi, famous Sunni commentator, that:

"Mainly, "غنم" (three word root of غنیمت in Arabic) means any kind of interest and benefit".(٣)

And in "Majma' Al-Bayan" interpretation first advantage has been interpreted in the meaning of spoils of war, but during the explanation of the meaning of the verse it says:

قال اصحابنا انّ الخمس واجب فی کلّ فائده تحصل للانسان من المکاسب و ارباح التّجارات، و فی الکنوز و المعادن و الغوص و غیرذلک ممّا هو مذکور فی الکتب، و یمکن

١- Fakhr Raazi interpretation, vol. ١٥, page ١۶۴.

٢- Al-Manar interpretation, vol. ١٠, pages ٣-٧.

٣- Rooh Al-Ma'aani, vol. ١٠, page ٢.

ان یستدلّ علی ذلک بهذه الایه فانّ فی عرف اللّغه یطلق علی جمیع ذلک اسم الغنم و الغنیمه

Shiite scholars believe that Khums is obligatory in any benefit that a person would gain, consisting of it is from business, or from treasure or mine and anything that derives from the sea by diving, and other jobs that has been mentioned in Fiqh books, and it is possible to ratiocinate with this claim about this verse because advantage (غنیمت) implies to all of these in its common meaning".(۱)

It is amazing that some partial persons who seems to have a special mission for poisoning the common thoughts, have tried a funny falsification in their book which have written about Khums in the expression of Majma' Al-Bayan interpretation; they have mentioned the first part of the expression which guaranties the interpretation of advantage (غنیمت) in the meaning of spoils of war (according to the opinion of some commentators), but they have ignored the explanation about the generality of literal meaning of the word and the meaning of the verse completely and have ascribed a false matter to this great Islamic commentator, maybe they thought they are the only persons who have the book "Majma' Al-Bayan" and nobody will read that book in order to reveal their lie to everyone and it is strange that they did not perform this betrayal only about this matter, but in other cases anything that might have benefit has been mentioned and anything that might be the opposite direction

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۱- Majma' Al-Bayan interpretation, vol. ۴, pages ۵۴۳ ۵۴۴.

.has been ignored

Also it has been affirmed in Al-Mizan interpretation according to the words of scientists of literature that advantage (غنیمت) is any benefit that person gains from business, working or the war and although the point for descending of the verse is spoils of war but we know that never the point particularizes the generality of definition.(١)

:It is concluded from all that has been said

The verse of advantage (غنیمت) has a vast meaning and consists of any kind of income, interest and benefit, because literal meaning of this word has a vast meaning and there is no clear proof about particularizing it in hand.

The only thing that some of Sunni commentators refer to, is that the verses before and after this verse are about Jihad and this matter shows that the verse of advantage (غنیمت) points to spoils of war in proportion.

While we know that the reasons of descending or the direction of discussion in Suras never particularize the generality of a verse; and in more clear way, there is no problem in that the meaning of the verse to be a general and overall definition while the reason of descending the verse is one sample of that general and overall concept.

:For example, we read in verse ٧ of Sura Hashr

وَمَا آتَاكُمُ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمْ عَنْهُ فَانْتَهُوا

... So take what the Messenger assigns to you, and deny yourselves that which he withholds from you. (٥٩:٧)

This verse says a general order about the necessity of obeying Prophet (S), while the

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١- Al-Mizan interpretation, vol. ٩, page ٨٩.

case for descending was assets which has been taken under the ownership of .(is used for them "فیء" Muslims from enemies without war (and the term

:And also in verse ۲۳۳ of Sura Baqara

... لَا تُكَلَّفُ نَفْسٌ إِلَّا وُسْعَهَا ...

(no soul shall have imposed upon it a duty but to the extent of its capacity; .. (۲:۲۳۳

has been mentioned as a general rule while the case for descending was about paying women who feeding babied and it has been ordered to the father of infant to pay according to his ability; but can reference of the verse to this special matter !?(prevent the generality of this rule (not to do more than the ability

Briefly, this verse has been said among the verses of Jihad but it says: Pay one fifth (Khums) of any income that you gain from any source (which one of them is spoils of thing) which are two) "شیء" war). Specially the relative word " (any) and the word .general and without any bond or condition words emphasize this matter

Khums in Sunni Cabbalas

Some people say that in none of Islamic cabbalas Khums has been mentioned in a case other than spoils of war and in cabbalas it has been talk about Khums exclusively .for spoils of war

This claim is one of baseless claims and is a sign of ignorance of the person who has said this about Islamic Ahadith, because Khums in other than spoils of war has been mentioned in Sunni cabbalas and also Shiite cabbalas (but

in Sunni cabbalas only some parts of Khums have been mentioned, while in Shiite cabbalas all of them have been expressed).

First, we point to a part of Sunni cabbalas which explicitly proves Khums of things other than spoils of war.

These cabbalas have been chosen from famous resources of Ahlul Sunnah which are acceptable for all of them.

A) It has been quoted in "Sunan of Beihaghi(1)" from Abu Harira that Prophet (S) said:

فى الرّكاز الخمس قيل و ما الرّكاز يا رسول اللّه؟ قال الذّهب و الفضّه الّذى خلقه اللّه فى الارض يوم خلقت.

There is Khums in Rekaz, a person who was there asked: What is Rekaz? Prophet (S) answered: "Mines of gold and silver which Allah has been created on earth from the beginning day.

It should be considered that Rekaz (it is pronounced like Ketab) literally means any kind of asset that is placed in earth; and accordingly all mines are called Rekaz; and also all treasures and assets which have been remained in earth from former humans are called Rekaz; and the fact that we see in the Hadith above it has been interpreted to mines of gold and silver is that a kind of clear samples not being exclusive to them.

B) It has been quoted in a Hadith from Anas ibn Malik that: We were in a road with Prophet (S), one of our friends entered to ruins ... and he found there a treasure of gold ... they weighted that and it was about two hundreds dirhams, Prophet

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1- Sunan of Beihaghi, vol. ۴, page ۱۵۲.

(said that it is Rekaz and it is obligatory to pay its Khums.(1)

C): It has been quoted in Sahih of Muslim from Abu Harira that Prophet (S) said "فی الرّکاز خمس" (there is Khums in Rekaz). The same matter has been also mentioned in Sahih of Bokhari.(2)

It has been affirmed in this Hadith which is one of famous Ahadith among Sonnies that there is Khums in Rekaz and as we said and it is understood from its main root and also it has been affirmed in some famous dictionaries like Qamoos, Rekaz has a vast meaning which consists of any kind of asset that is placed and saved in earth, like mines and treasures of former humans that has been buried in lands; and accordingly, some pf Sunni Faqihs like "Abu Hanifa" affirmed that Khums is obligatory in mines and Nisab (minimum needed level or amount) of Zakat is not a condition in this case.(3)

It has been quoted in the book "Kanz Al-Ummal", vol. ۷, page ۶۵ that Prophet (S) said:

ان لکم بطون الارض و سهولها و تلاع الاودیه و ظهورها، علی ان ترعوا نباتها و تشربوا مائها علی ان تؤدّوا الخمس ۲

Deep inside the earth, fields and inside the valleys and out of them are all in your hands in order to use their plants, drink their water and pay Khums about them.(4)

There is no doubt that here, the purpose of Khums is not Zakat of sheep, because Zakat of sheep is not one fifth. Therefore, the purpose is

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۱- Sunan of Beihaghi, vol. ۴, page ۱۵۵.

۲- Sunan of Beihaghi, vol. ۴, page ۱۵۵.

۳- "Al-Mughani" by Ibn Qudama, vol. ۲, page ۵۸۰, printed in Beirut.

۴- Makateeb Al-Rasool, vol. ۲, page ۳۶۵, it has been quoted from other evidences.

.to use these lands and pay the Khums of its income

It has been quoted in a Hadith in the book "Usd Al-Ghaba" that "Masrooq ibn Wael" came to prophet (S) and became Muslim, and he said I like you to send some people to my tribe in order to invite them to Islam, and please write a letter for them, may Allah guide them all. Prophet (S) ordered to write this letter:

بسم الله الرّحمن الرّحيم من محمّد رسول الله الى الاقيال من حضرموت باقام الصّلوه و ايتاء الزّكوه و الصّدقه على التيعه و لصاحبها التيمه و فى السّيوب الخمس و فى البعل العشر.

In the name of Allah the Compassionate the Merciful

,From Muhammad, prophet of Allah to chieftains of Hadhramut

Orders them to perform prayer and pay Zakat, Zakat is for animal that pastures in fields and the animal that is taken in house for the need of its owner has not Zakat and Khums is obligatory in "Soyoob" and it is obligatory to pay one tenth in palms which grow without the need of water.(۱)

.We will discuss soon about the purpose of Soyoob which Khums is obligatory in it

We read in another Hadith in the book "Al-Aghd Al-Fareed" that Prophet (S) wrote a letter to Wael ibn Hajr Hadhrami: "From Muhammad Prophet of Allah to chieftains of Abahela ..." to the point that said: "and there is Khums in Soyoob".(۲)

We read in footnote of the book "Al-Aghd Al-Fareed" after quoting the Hadith above that "Soyoob" is plural form of "Sayb" that

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۱- Usd Al-Ghaba, vol. ۳, page ۳۸.

۲- Al-Aghd Al-Fareed, vol. ۲, page ۴۸, printed by Ismaelian.

means assets which had been remained as treasures from the time of ignorance or .mines, because they consider as divine gifts

But we read in "Qamoos" which is one of famous Arabic dictionaries that: Mainly "Sayb" means any kind of gift and benefaction and "Soyoob" is in the meaning of .("Rekaz" (treasures and mines

If we consider "Sayb" in the meaning of any kind of gift and benefaction and the purpose is divine gift and benefaction, it consists of all incomes and according to that Khums should be paid in all of them; and if we consider it as the exclusive meaning of mines and treasures, it also proves that Khums is obligatory in other than spoils of .war and it is not exclusive to spoils of war

(.Khums in Cabbalas of Ahlul Bayt (a.s

There are lots of Ahadith in main and famous texts of Shi'aa about Khums and the things which Khums applies on them, and the way of consumption and prorating and other rulings have been expressed, that it is impossible to mention all of them in this .brief discussion

About eighty Ahadith in fifteen chapters in the issue of Khums have been collected ."from famous Shiite books in the famous book "Wasael Al-Shi'aa

- .Chapter one is about the principle of necessity of Khums
- .Chapter two is about the necessity of Khums in spoils of war
- .Chapter three is about mines
- Chapter four is about the Nisab (minimum level or amount) of mines which Khums .applies on them
- Chapter five and six are about the necessity

.of Khums in treasure

- Chapter seven is about the necessity of Khums in things which gain from the sea by .diving

- Chapter eight is about the necessity of Khums in benefits of business, industries, .agriculture and like them

- And other chapters are about the way of prorating Khums, person who needs to .give help from Khums and some other cases of necessity of Khums

There are ten Ahadith in chapter eight which is one of most important chapters about the issue of the Khums and talks about benefits which are obtained from any kind of business or industries, which most of our Faqihs have issued Fatwas according to them; and Fatwas say that if after one year a person was able to save money from any kind of income in that year, should pay one fifth of this saving after subtracting all costs of the year to Imam or his successor in order to be spent on necessary cases .which have been mentioned

Evidences of these Ahadith have no need to be criticized according to their multiplicity, because we know that if there are lots of Ahadith quoted in one issue in reliable books, it confirms according to all of them that the order of ruling has been issues by Imam and there will remain no place for animadverting about the evidences of those .Ahadith

In other hand, it has been proved in the Usul Science (science of fundamentals) that issuing Fatwa by famous Faqih especially those who were closer to the time

.of Imam caused confidence about the evidence of Hadith

And this matter is completely achieved for Ahadith of Khums which have been pointed .to them above

.Moreover, among these Ahadith there are some Sahih Ahadith

Like Hadith of Muhammad ibn Al-Hassan Al-Ash'ari which is the first Hadith of chapter .eight

.And Hadith of Abu Ali ibn Rashid which is the third Hadith

.And Hadith of Ibrahim ibn Muhammad Al-Hamedani which is the fourth Hadith

.And Hadith of Ali ibn Mahzyar which is the fifth Hadith

.And Hadith of Sama'a which is the seventh Hadith

It is interesting that some less-known people who did not have enough knowledge about the Rijal science (science of tellers of Ahadith) assumed that all Ahadith of this chapter are civilizable about their evidences while this is nothing more than a false thought which shows the weakness of knowledge of person who thinks this way and .this assumption has no compatibility with reality

This person who had shown special and funny obstinacy about the weakness of this :Ahadith has taken mistakes which are amazing, for instance

He has introduced "Sa'd ibn Abdullah Ash'ari Qomi" who has been one of superiors -١ of Shi'aa and one of eminent Faqihs and one of leaders of this sect according to superiors of Rijal science like "Najashi" and "Sheikh Toosi" and "Allame Helli" and has been an eminent, knowledgeable, reliable person with lots of writings as an "unreliable person" that "none of superiors of Rijal science have confirmed his reliability" and we don't know that where did he find such

!a big and clear lie which causes the disgrace of the teller

۲- He has criticized "Ali ibn Mahzyar" whom all superiors of Rijal sciences confess to his greatness and reliability, and he had been one of special Sahaba of ninth Imam and his deputy and successor, and according to "Najashi" (famous scholar of Rijal science) and the late Allame Helli there is no place for discussion or doubt about his cabbalas, and has tried to invalidate his reliable Hadith (in his own thought) by .nonsense expressions and even he had insulted and cursed this great man

It seems that his evil purposes do not permit him to accept any kind of truth and he forces himself to remove any obstacle which is in his way, even by ignoring self .evident matters

۳- One of persons who has been mentioned in evidences of these Ahadith (third Hadith from this chapter) and is one of reliable Hadith tellers, but has been attacked and weakened because of ignorance is "Abu Ali ibn Rashid" who his name is "Hassan" and is one of Sahaba of ninth Imam, Imam Javad (a.s.). According to confirmation of some of superiors of Rijal, like Sheikh Toosi and Allame Helli, is one of reliable .persons, but foresaid ignorant writer has assumed him to be unreliable

۴- "Riyan ibn Salt" is one another of Hadith tellers who has been mentioned in the evidence of ninth Hadith in this chapter and foresaid writer has criticized him by this excuse that it is unlikely that

he had lived until Imam Askari (a.s.) (without expressing any prove fore this sentence) and with another excuse that he had been working in the system of Abbasi caliphs, while we know that persons like "Ali ibn Yaqtin" were working in their system by order of Imams for saving innocent people, while in Rijal books especially "Rijal of Najashi" .and "Allame Helli" and "Sheikh Toosi" reliability of this man has been confirmed

And this is funnier that he said the cabbala of Riyan ibn Salt is Mursala (a Hadith that its evidence does not reach to Prophet (S) or Imams (a.s.)) while there is no such a thing in the evidence of this Hadith, and nobody would find that why he has said such !a big lie

Most amazing of all is that he had rejected the seventh cabbala by the excuse that -۵ ."“Kulayni” has quoted that from "Some of our companions

He assumed that these persons are unknown, while anyone who has the least knowledge about the book "Kafi" and its evidences and documents knows that these persons are masters of Kulayni, that in order to abstain from lengthening and repeating in the evidence their name do not mention every time, but it has been affirmed in books of Rijal that the purpose of Kulayni is this five persons: ۱- Muhammad ibn Yahya ۲- Ali ibn Mousa Komidani ۳- Ali ibn Ibrahim ibn Hashim ۴- Ahmad ibn Idris ۵- Dawood ibn Kore

And some of them are moreover their reliability are from

superiors of World of Shi’aa (refer to the book “Jame’ Al-Rovat” and other Rijal books).

Précis of Ahadith of Khums

Implication of above Ahadith is clear in many ways, while some of cavillers try to make doubt about their implication by delusive objections and free themselves from these Ahadith.

We mention some of their objections for instance.

۱- They say for Hadith of Muhammad ibn Ash’ari (which correctness of its evidence had proved):

كتب بعض اصحابنا الى ابى جعفر الّثانى عليه السلام خبرنى عن الخمس اعلى جميع ما يستفيد الرّجل من قليل و كثير من جميع الضّروب و على الصّناع و كيف ذلك؟ فكتب بخطّه عليه السلام الخمس بعد المؤونه

One of our companions wrote to ninth Imam (a.s.): Inform us that if Khums applies on all the things which a person uses, from few and many from any kind of income and also on artisans? And how should it be paid? Imam wrote with his own handwriting that Khums is after the costs of living.(۱)

It is understood well from this text than asker has had doubt either in generality and quality of Khums and Imam has answered to both questions with one short sentence as it had been common way in writing letters in that time.

When he says Khums is after the costs of living the question about quality which is the second question of asker and also the question about the necessity of Khums in all kinds of income both have been answered.

But with his clearance of the meaning of this cabbala, cavillers sometimes say that

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۱- Hadith ۱, chapter ۸, from chapters of Khums in Wasael Al-Shi’aa, vol. ۶.

answer and question in Hadith are not compatible with each other and it is like a .cryptogram, while there is neither a secret nor any doubt in it

?And sometimes they say that what the meaning of “Ma’oona” is

While in several cabbalas in chapter of Khums which Ma’oona has been mentioned, it has been affirmed that the meaning of Ma’oona is the costs of living of a person; ما “ moreover surely the costs of business is not considered because the sentence anything which a man uses) means net profit, and surely net profit) (”یستفید الرّجل .achieves after subtracting the costs of business

is? It seems that they had ”الضّروب“ And sometimes they say that what the meaning of means kinds and here it means kinds of ”الضّروب“ no knowledge about the word that .businesses and industries and jobs

It is interesting that is some of next Ahadith they had made another excuse which is for present Imam, but explicitness of above Hadith in generality of the ruling is so .much that they did not dare to arise this objection for this Hadith

Abu Ali ibn Rashid who had been one of deputies of Imam Javad (a.s.) and Imam - ۲ :Hadi (a.s.) says

قلت له امرتنی بالقیام بامرک و اخذ حقّک فاعلمت موالیک بذلک فقال لی بعضهم وایّ شیء حقّه؟ فلم ادرما اجیبه، فقال یجب علیهم الخمس، فقلت ففی ایّ شیء؟ فقال فی امتعتهم و صنایعهم، قلت و التّاجر علیه و الصّانع بیده، فقال اذا امکنهم بعد مؤونتهم.

I told him (Imam (a.s.)) you have

ordered me to manage your tasks, and take your right; I told this to your friends, some of them said: what is the right of Imam? I didn't know what to say. Imam (a.s.) said Khums is obligatory for them, I said in what thing? He said in goods and products, I said persons who do business and build something with their hands? He said yes if (after paying costs of living any possibility remains for them.(١

Cavilers animadvert to this Hadith with all explicitness that it have; sometimes they say that this Hadith is pronominal (Muzmara) it means that the name of Imam has not .been mentioned explicitly and it has been expressed only by pronoun

And sometimes they say how it is possible that existence of such a right had been hidden from deputy of Imam and his Shiites; but the answer for both objections of cavilers is clear, because moreover that "Abu Ali ibn Rashid" had been the deputy and one of exclusive agents of ninth and tenth Imam (a.s.), when such a person says that I wrote him that you have ordered me to take your right, there is no doubt that the .(.addressee of the letter had been surely Imam (a.s

And it is amazing that these cavilers have expressed explicitly the deputation of forenamed person from Imam (a.s.), but because obstinate persons are forgetful like .liars, they had denied the matter completely in some lines after that

Furthermore, content of cabbala testifies that the addressee of this letter

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.Hadith ٣, chapter ٨, from chapters of Khums in Wasael Al-Shi'aa, vol. ۶ -١

could not be any person other than Imam (a.s.), because what right can ordinary people have on goods, products and wages of people?!

Is it possible that someone other than Imam (a.s.) have such a right? But when a person wants to be obstinate he can deny the sunlight of the day and darkness of the night.

And the reason for the matter how is it possible that deputy and companions of Imam (a.s.) do not know about the quality of this issue is clear.

Because as we will explain completely later, in some times which Shiite were under the pressure Imams (a.s.) forgave the Khums or part of it and practically Khums had forgot for a period of time, therefore when conditions were normal and Khums had to be taken, lots of Shiites were uninformed about the quality of that and it is not a strange or unusual matter.

Also today, there are lots of people who have not enough knowledge about the issues of the Khums, even oppositions who object this much about that have limited information about Khums.

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کتب الیه ابراهیم بن محمّد الهمدانی اقرأنی علی کتاب ابیک فیمـا اوجبه علی اصـحاب الضّیاع انه اوجب علیهم نصف السّدس بعـد المؤونه، بـانّه لیس علی من لم یقم ضـیعته بمؤونته نصف السّـدس، و لاـغیر ذلک، فاختلف من قبلنا فی ذلک فقالوا: یجب علی الضّـیاع الخمس بعـد المؤونه، مؤونه الضّـیعه و خراجهـا، لاـ مؤونه الرّجل و عیاله فکتب: و قرء علی بن مهزیار علیه الخمس بعد مؤونته و مؤونه عیاله و بعد خراج السّلطان

Ibrahim

ibn Muhammad Hamedani wrote to Imam (a.s.) that: Ali (Ibn Mahzyar) read the letter of your father for me that it had been ordered in the letter that owners of water and land should pay one twelfth of their income after subtracting their costs to his holiness, but persons who their water and estates do not suffice their costs, this is not obligatory for them, neither one twelfth nor other than that; people who are here with me have disagreement and discussion about this matter, they say that Khums of income is obligatory on water and land, and this is after subtracting the costs of water and land themselves and their tribute, not the costs of person himself and his wife and .children

Imam wrote his answer and Ali ibn Mahzyar also saw the letter that, Khums is" necessary for this person after subtracting the cost of living of him and his wife and ."children and after subtracting the tribute of government

It has been ordered explicitly in this Hadith which its evidence is completely reliable that people have to pat the Khums from surplus of their income from lands after subtracting the costs of living and as you see former Imam (a.s.) had not taken more than one twelfth, according to what we said before, because some of Imams (a.s.) forgave all or a part of Khums to Shiites due to conditions of their time in order that (Shiites not be under pressure.(۱

"Two of reliable Hadith tellers "Ahmad ibn Muhammad -۴

.Fourth Hadith, chapter ۸ in Wasael Al-Shi'aa, vol. ۶ -۱

and "Abdullah ibn Muhammad" quote from Ali ibn Mahzyar who was one of deputies of Imam Javad and Imam Hadi (a.s.) that ninth Imam, Imam Javad (a.s.), had been wrote to him in a letter, and we read this letter in the way to Mecca, that:

"The thing which I necessitate only in this year, year ۲۲۰, by the reason which I do not want to explain in order not to be broadcasted and Allah willing I will explain some of that for you in near future, is that my friends whom I ask for their expedience from Allah or some of them have failed to do their obligatory duty, I knew that and I wanted to purify them with the thing which I had done this year in Khums; almighty Allah has said that take alms from their assets and purify them by that and pray for them, that your pray is the cause of their peace and Allah is hearing and wise.

Don't they know that Allah is who accepts repentance from their servants and takes alms from him and Allah is acceptor of repentance and merciful, and say (prophet) act and Allah and his prophet and believer will soon see your act and soon you will return to whom that is informed about hidden and apparent and informs you about what you have done.

But I did not necessitate this matter for them every year and I do not necessitate other than Zakat which Allah has necessitated for them, and

only this year I necessitated Khums in gold and silver which one year have past on them, but I did not necessitate that in living appliance and dish and four-footed animals and servants and not in benefit of business and not in agricultural land, except the land that I will explain for you and this is a kind of rebate from me for my friends and forgiveness about them in change of those which Sultan depredates from .their assets

But Khums is obligatory in advantages and benefits every year, Allah says know that anything that you take as an advantage, one fifth (Khums) of that is for Allah and Prophet and close persons (Sadat; pl. of Sayyid and Sayyida) and orphans and needed persons and suspended travelers; if you have believed on Allah and what we had descended to our servant on the day of distinction (day of battle of Badr), the day that two armies confronted (and army of Islam won), and Allah has powerful over all .things

But advantages and benefits, may god bless you, are incomes which a person gains and benefits that he takes and considerable prize that some people give a person and heritage that he had not expected except from father or child and also like an enemy who surrenders and his assets is taken, and also an amount of money that is found and its owner is unknown and all that have reached my friends from the assets of :(debauchee Khorramian Tribe(١)

Because I had informed

p: ٢٩

١- They were a group of people called Khorramiyya or Khorram-Dinan who believed in .(reincarnation and pornography (considering Haraam acts as Halaal

that great amount of assets had been reached to a group of my friends, anyone who has something from those assets give it to my deputy, and anyone who is away tries to send it although after a while (it reaches) because the intention of believer is better than his act.

But the thing that I necessitate from agricultural land and cereals is half of one sixth (one twelfth) from persons who their agricultural income covers their costs, but a person who his agricultural income dos not cover his costs half of one sixth is not upon him and nothing other than that".(1)

Some matters are understood from this Hadith:

First is the necessity of Khums in all benefits and incomes, and compatibility of verse in its vast (غنیمت) with that and interpretation of advantage (غنیمت) of advantage meaning that means any kind of income which has been mentioned below the Hadith.

Another one is the necessity of an extraordinary Islamic tax equal to Khums for a specific year, the year ۲۲۰ h.gh., because of extraordinary conditions that have happened for Imam and Shiites, and as it is understood from history (and also a Hadith which has been mentioned in Kafi) it was the same year that Mu'tasim had invited his holiness to Baghdad and kept his eyes on his holiness respectfully. Surely, in that year Imam and Shiites of Baghdad had extraordinary condition and Imam had to organize the conditions of Shiite needed people and specially Shiites of Bani Hashim, and he had

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۱- Fifth Hadith from chapter eight of Wasael Al-Shi'aa, vol. ۶, page ۳۴۹.

.no choice other than taking this extraordinary Khums from them

This matter is not exclusive to Imam, and if conditions are too much hard that Khums does not suffice the costs, governor can raise the tax for rich people in order to save the benefits of Muslims, also it is possible that Zakat which answers to all needs in ordinary conditions according to explicit cabbalas could not suffice alone; for example when all Muslims were in danger of attack of enemies and Islamic armies need more money, at this time Islamic governors can ask for extraordinary amounts of money .for solving the problem, as an Islamic necessity

It is interesting that Imam had necessitated this extraordinary tax on gold and silver .which one year had passed them

People who are familiar with Islamic Fiqh and especially Shiite Fiqh and had studied the authorities of governor know that Islamic government or its governor had special .authorities for these conditions

Therefore, this extraordinary Khums which had been temporary has no relation with .general ruling of Khums on incomes

But obstinate caviler who has no knowledge about this matter had been amazed that how it is possible to take two kinds of Khums from people, unaware that one of them is the permanent law of Islam and the other is temporary ruling and related to authorities of Islamic governor, and according to what had been said there is no .doubt remaining about the meaning of Hadith

And it is interesting that obstinate caviler has arisen several objections to this

Hadith which any of them is more amazing than the other and is the sign of extremity !!(?) of his honesty and vastness of his knowledge and impartiality and integrity

:Now pay attention to some of their samples

1 - He says that Hadith tellers who had quoted from Ali ibn Mahzyar are unknown persons and are not famous in Rijal books.

While "Ahmad ibn Muhammad" who is one of these two Hadith tellers (and even without any need to another Hadith teller the evidence and document of this Hadith is compete, because both two teller have quoted the Hadith from Ali ibn Mahzyar horizontally) is "Ahmad ibn Muhammad ibn Isa" who is one of most famous persons of Shiite Rijal and is from reliable, famous and accredited persons and his name has been mentioned in all Rijal books.

But maybe caviler never had referred to Rijal books about this matter and has shot a bullet in the darkness with the hope that people have no time for referring to Rijal books and his lie will never been revealed or he referred but did not understand and idiomatically he has mistaken deliberately.

The reason for that "Ahmad ibn Muhammad" is the same as "Ahmad ibn Muhammad ibn Eisa" is that the person who quoted from him is "Muhammad ibn Hassan Saffar" the author of the famous book "Basa'ir Al-Darajat", and we know that Muhammad ibn Hassan Saffar is one of students of Ahmad ibn Muhammad ibn Eisa.

He says: It has been mentioned in Hadith that lots

of assets of “Khorramian” had been gained by companions of Imam, while final defeat of them had happened in the year ۲۲۱, one year after the date which has been mentioned in this Hadith and “Babak Khorram-Din” the dynast of “Khorramian” had .been defeated after the year ۲۲۱

We don’t know that if he had thought that nobody knows about the history of ?Khorramian? And nobody will refer to history

We read in Tabari history (۱) that in this year lots of people of Iran converted to the faith of Babak Khorram-Din, and Mu’tasim Abbasi sent a great army to them, and in the same year sixty thousand of followers of Babak had been killed, and the others .escaped to the Roman countries

It is interesting that caviler quotes explicitly from Tabari history in his text about the incidents of “the year ۲۱۹”, that commander of an army which had been sent from Baghdad to repress Khorramian, “entered Baghdad with a number of captives of Khorramian in ۱۱th of Jamada El Oula of the year ۲۱۹ and it is said that one thousands (of them had been killed”.(۲

Obviously in such a battle with this number of killed people lots of spoils had been gained by worriers and we cannot ignore this truth even we act like people who know .nothing about that

The text that mentioned before is not exclusive to Tabari history, but also the same expression has been mentioned in complete history of Ibn Athir that: “Ishaq ibn Ibrahim (commander of army of

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Printed Leyden publishing company, vol. ۱۱, page ۱۱۶۵, in incidents of the year ۲۱۸, -۱ (.two years before the issue of above order by Imam (a.s

Tabari history, vol. ۷, page ۲۲۴, printed in Cairo -۲

Baghdad) entered Baghdad with a large number of captives of Khorramian in Jamada (."El Oula".(۱) (Notice that it has been emphasized on the phrase "a large number

And we know that in that time they sold the infidel war captives as slaves or freed them by taking ransom and naturally lots of money had been gained by people of .Baghdad in this way

More amazing is that it has been written in the dictionary of Dehkhoda under the word "Babak Khorram-Din" quoted from "the selected of Hamdullah Mostofi" that: "Ishaq ibn Ibrahim enteredBaghdad in Jamada El Oula and there were a large group of (Khorram-Dinan captives with him".(۲

And while caviler had Dehkhoda dictionary in his hands by testify of his explicit words, but he acted as he is deaf and did not pay any attention to these explicit evidences that show lots of assets had gained by Muslims as spoils from "Khorram-Dinan" (!before the year ۲۲۰. (Damn obstinacy! That what results it has

.By the way, this objection to Hadith of Ali ibn Mahzyar is more instable than cobweb

He says that how Imam Javad (a.s.) could have connection with his friends and -۳ ?send them letters when he was under observation in Baghdad

But maybe he has forgotten that Imam Javad (a.s.) had acme to Baghdad by invitation of Mu'tasim, he was neither in prison nor so much limited that cannot contact people, .as this matter has been affirmed in "Mir'at Al-Oqool", vol. ۶, page ۹۵

We read about Imam Hassan Askari (a.s.) who was

.Complete history of Ibn Athir, vol. ۵, page ۲۳۳, printed in Dar Al-Ketab Al-Arabiyya -۱

.Dehkhoda dictionary, under the word "Babak Khorram-Din", page ۱۱ -۲

under strong observation in Samarra that he was partly in touch with his friends by letters, and surely violence of Mutawakkil Abbasi about Imam Askari (a.s.) was .(.harsher than severity of Mu'tasim about Imam Javad (a.s

We read in the book "Rijal Kashi" that: "Imam Askari (a.s.) wrote a letter to Ishaq ibn (Ismael and expressed lots of matters in that letter".(١

And we read in the book "History of Qom" that "Ahmad ibn Ishaq" went to Samarra in (pilgrimage of Hajj and went to Imam Hassan Askari (a.s.).(٢

Therefore, being under observation of those superiors had never prevented them .from contacting with people

Moreover, if Imam Javad (a.s.) had been in conditions that could not write letter to Shiites, how could Ali ibn Mahzyar dare to say, in the same date, such a false ?statement that everyone knew about it

Another objection that he made, in his assumption, to Hadith is that how could - ۴ Imam legislate and say that I ordain an extra Khums on you in that special year, while we know that legislation is only exclusive to Allah and Prophet (S) can only announce that and the duty of Imam (a.s.) is to maintain and propagate the religion, not .legislation or canonization and making new laws

But this caviler has forgotten a clear point because of his limited knowledge that there are lots of differences between "legislation" and "order of governor"; Islamic government and the leader of this government [Imam (a.s.)] have the right to issue ,special orders temporarily in extraordinary cases

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.Rijal Kashi, page ۴۴۹ -١

.According to quote of Bahar Al-Anvar, vol. ۵۰, page ۳۲۲ -٢

and order all people to perform a special duty, consisting of financial or non-financial matters, or prohibit a Halaal (permitted) matter temporarily for some special goals; this authority is not only exclusive to Imam (a.s.) and Faqihs and religious governors also have this right, and the extraordinary conditions of prohibiting tobacco by Ayatollah Shirazi, in that special conditions that the goal of this order was to fight economical corruption of Britain, is one of its example' and this is one of the signs of motivity and formative attributes and liveliness of Islamic laws that had gave such authorities to Islamic government and religious governors for special and emergency conditions and therefore as soon as that extraordinary condition is ended, that order .also invalidates and it is not like main laws of Islam which are eternal and infinite

Accordingly, we see that Imam (a.s.) says about the first Khums: "This is exclusive for this year and it has a reason which I do not want to explain because of some conditions. (Surely, this is the extraordinary condition which has happened for Shiites about financial issues by entering Imam to Baghdad)". But he says about the second Khums: "This law is forever and Muslims should pay it every year". It was so good that this caviler did not go to judge alone, And at least contacted with a knowledgeable person to hear the answers of his question, in order not to waste the time of himself .and the others

From this matter it

clears that why Imam (a.s.) had necessitated the first Khums which had been extraordinary in gold and silver which one year had past them. Because as we said issuing this ruling was by using the authorities of religious governor and this should .follow the amount of needs

Imam had observed that the extraordinary need which had happened to Shiites had .been covered by this much of Khums; therefore he had limited that to this amount

More funny of all is that this caviler has assumed that there is a contradiction between beginning and the end of this cabbala, in the beginning he says that I take Khums only .from gold and silver and at the end he denies his words

While there is no contradiction, the only problem here is the ignorance of caviler, because as we said before that Khums in the beginning of cabbala is temporary and extraordinary and had issued by the authorities of religious governor and another .Khums is at the end of cabbala is one of permanent and eternal Islamic laws

And if we see that he had referred to the verse of advantage in the second part, it is .according to the same reason

clearly by its vast meaning, (غنیمت) More amazingly, Imam has interpreted advantage and has known it consisting of all incomes, but again caviler has acted as he is .completely deaf and has ignored all of that

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Another objection or we should better say excuse, which has been said about this Hadith and it is another

evidence of insufficiency of caviler's knowledge is that he says: "Imam Javad (a.s.) had past away in the year ۲۱۹, how it is possible that he had issues this order in the year ?۲۲۰ as it has been mentioned in the text of Hadith"

The answer to this objection clears by referring to famous historical texts of Shi'aa and famous Hadith books, because "Sheikh Mufid" affirms in the book "Irshad" in hagiography of Imam Javad (a.s.) that his holiness had past away in the year ۲۲۰.

It is written in the book "Usul Al-Kafi":

ولد فی شهر رمضان من سنه ۱۹۵ و قبض فی سنه ۲۲۰ فی آخر ذی القعده

He was born in Ramadan in the year ۱۹۵ and past away in ends of Zul Qa"da the year ۲۲۰.(۱)

And it is written in the book "Kashf Al-Qumma" that, his holiness went to Baghdad in the year ۲۲۰ and he past away in ends of Zul Qa'da in the same year.

And according to the quote of the book "Muntakhab" from the books "Doroos" and "A'lam Al-Wara" and "Managheb" and "Ithbat Al-Wasiyyat" by Mas'oodi, all these books have mentioned the year ۲۲۰ as the date of departure of his holiness and also his departure has been mentioned the year ۲۲۰ in the book "Wafiyat Al-A'yan" and expressing the date of departure of his holiness in the year ۲۱۹ considers as a weak evidenced expression.

The year of departure of his holiness also has been mentioned the year ۲۲۰ in the book "Tarikh Mawaleed and Wafiyat Ahlul

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۱- Usul Al-Kafi, vol. ۱, page ۴۹۲.

.(Bayt Al-Nabi" by "Ibn Khashab" (according to the quote of Bahar

Therefore, it is strongly logical that we say his holiness has past away in the ends of the year ۲۲۰, and few months before had issued that order.

Indeed it is amazing that as person ignores all of these famous books and only refers to a weak cabbala that expresses the date of departure of his holiness in the year ۲۱۹; could this act have a reason other than ignorance or evil intention?!

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It clears from the things which we said that the cabbala of "Ali ibn Mahzyar" is one of cabbalas that has no place for objection about its evidence or implication, and objections which have arisen about this mostly have been due to lack of knowledge or obstinacy and partiality.

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۵- Another cabbala which is considerable about the evidence and also implication and proves Khums in all incomes is the cabbala of "Sama'a ibn Mehran" from Imam "Mousa ibn Ja'far" (a.s.):

قال سألت ابالحسن عن الخمس فقال فی کلّ ما افاد النّاس من قلیل او کثیر

I asked Imam Mousa ibn Ja'far about Khums; he said Khums is all benefits that people gain from little to many.(۱)

But unfortunately that caviler assumed that he can invalidate this Hadith by delusive objections:

Sometimes he says that Sama'a had past away in the time of Imam Sadiq (a.s.) and how could he quote a Hadith from Imam Mousa ibn Ja'far (a.s.).

While scholars of Rijal have affirmed that he has quoted several cabbalas from Imam Mousa ibn Ja'far

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.Wasael Al-Shi'aa, vol. ۶, page ٣۵٠ -١

.a.s.) and today these cabbalas are available in our Hadith books)

Moreover, scholars of Rijal said that "Sama'a" had been Vaghefi beside his truthfulness and reliability; it means that he was one of persons who had stopped about leadership after Imam Mousa ibn Ja'far (a.s.), how it is possible that a person to be Vaghefi and die in the time of Imam Sadiq (a.s.)? It is funny that caviler himself has confessed that Sama'a had been Vaghefi and still says that he had died in the time of .(.Imam Sadiq (a.s

Maybe he didn't notice the meaning of the word Vaghefi, unless how it is possible that ?a person expression such a contradiction

Yes, it is said in a weak cabbala that Sama'a had past away in the time of Imam Sadiq (a.s.) but as the late Allame Ardabili has written in the book "Jame' Al-Rovat" in the .biography of Sama'a this cabbala is from fabricated ones

But if maybe there is no expression more explicit than this cabbala in implication :about the generality of Khums, this caviler says

Asker had asked Imam from Khums, it is not clear that which kind of Khums he had" asked about; is it from spoils that people should pay its Khums from anything that they gain or is it the Khums of mines and treasures and diving into the sea and like ."them, or benefits of businesses and industries

But while the word "Khums" has been mentioned in question in its definite way and Imam has said in the

answer explicitly that Khums is obligatory in all the things that gives benefit to people from little to many, we do not know that where could this person find these baseless possibilities, and how he connected them to this Hadith and he did not thought that if .anyone see his writing, that person will blame him for this obstinacy

?(.Has Khums Been Forgiven during the Absence of Imam Zaman (a.s

They ask: "Hasn't Khums been forgiven during the absence of Imam Zaman (a.s.) from his holiness to Shiites and still have people the duty to pay Khums to Bayt Al-Mal in order to spend in necessary ways of consumption? While several cabbalas say that: "Imams of Ahlul Bayt has forgiven Khums". Therefore if we accept that Khums is obligatory on all kinds of income, then we should also accept that Khums is forgiven !during the absence time

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The answer to this question is available almost in all of Fiqh books and those who assume that this question is a new question or they are the only persons who have .seen the Ahadith of Tahlil (to make Halaal) are hardly mistaking

A glimpse to Fiqh books especially the books which recent Faqihs have wrote shows that this matter had been completely in the area of attention of Faqihs and they had .answered to that

We consider it necessary to explain this issue completely for respected readers in .order to give more description

:Cabbalas which have caused this hallucination consist in five groups

First, are cabbalas which have been said about the spoils of war and captives

of war and women who were among slaves and had been taken as servants by .people and those people married them and had children with those women

We know that if Jihad had not been performed by the permission of Imam, then all of spoils which are taken are for Bayt Al-Mal and should be spent by the permission of Imam and if jihad had been performed by the permission of Imam then Khums .applies on them and in case of not paying the Khums, using them is Haraam

Therefore, female servants who had taken by people as spoils and their Khums had not been paid were Haraam to their owners and they didn't have the right to treat .those women as their wives

Therefore, if you notice this ruling then understand that children who are born from these women are illegitimate, therefore Imams of Ahlul Bayt have forgiven this part of Khums which is related to those women in order that their children born (legitimately.(١

:According to this short preface, we mention this group of cabbalas in continue

١- We read in cabbala of "Zurays Kunasi" that Imam Sadiq (a.s.) said: "Do you know that from where adultery entered among (some of) people? I said no. He said: From the Khums of us Ahlul Bayt, except our pure Shiites which is Halaal for them and also it (is Halaal for their birth".(٢

٢- Muhammad ibn Muslim quotes from Imam Baqir (a.s.) or Imam Sadiq (a.s.) that he said: "The most severe thing which people are

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١- It has been completely discussed about slavery in Islam and why Islam has allowed such a thing about the captives of wars and the plan of Islam for making slaves free ."and preventing humans to be trade in the book "Islam and freedom of slaves

٢- .Wasael Al-Shi'aa, vol. ۶, Hadith ۳ from chapter ۴ of chapters of Anfal

involved with in the day of judgment is that the owner of Khums stands and says My God! (Usurped) My Khums but we made it Halaal for our Shiites in order that their birth (to be pure and their children born pure.(1)

3- Fazil (Ibn Yassar) quoted from Imam Sadiq (a.s.) that he said: "A person who feel our love in his hearth thanks Allah for his first gift. I said: What is the first gift of Allah your holiness? He said: It is the purity of birth (and sperm).

Then he said: Amir Al-Mu'mineen (a.s.) told Fatima (a.s.) that make your share from spoils Halaal for the fathers of our Shiites in order to make them pure.

Then Imam Sadiq (a.s.) said: We made mothers of our Shiites Halaal for their fathers in order that they become pure (and their children to be Halaal children)".(2) And Also Ahadith 15, 16, 18 and 20 from chapter 4 of chapters of Anfal and Hadith 8 from chapter 8 of chapters "What Khums is obligatory in it".

These eight Ahadith has been expressed clearly about the issue of female servants and we know that according to affirmation of Faqihs they are excluded from Khums but obstinate and less-literate people have wanted to make them as a prove for Tahlil (to make Halaal) of Khums in absolute way without noticing to content of them and noticing to explicit Fatwas of Faqihs, unaware that with a little attention to the content of these Ahadith their lie will be

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1- Hadith 5, from chapter 4 of chapters of Anfal.

2- Hadith 10, from chapter 4 of chapters of Anfal.

.revealed

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Second, are Ahadith which proves the Tahlil of Khums in specific and certain time, because as we said before Prophet (S) and Imams (a.s.) as the governor of Islamic government had the right to forgive this Islamic tax in special conditions according to .benefits of Muslims

As it had necessitated to add some extraordinary taxes temporarily and limited in hard conditions, also this is one of the authorities of Islamic government to dispense .with that temporarily according to the conditions of Muslims

:We mentioned some examples of these Ahadith in continue

Younos ibn Ya'qoob" quotes that I was with Imam Sadiq (a.s.) that a man entered " -١ and said your holiness, there are assets and benefits and merchandises that we gain and we know that you right is in them and we are guilty about this matter; Imam (a.s.) said: If we order you to pay these rights today this is unfair (it means that we forgive (them to you because of strong pressure from government or living which is on you).(١)

Hakim (Ibn Eisa) quotes from Imam Sadiq (a.s.) that I asked what is the meaning of -٢ He answered: "Any benefit which a human gains day by ?"و اعلموا انما غنمتم" the verse ."day; but my father forgave Shiites in order them to be pure

All of these Ahadith are related to exemption of a group of Muslims who were in special conditions from this Islamic tax plan and it is not the proof of general .exemption at all

The clear proof and strong

.Hadith ۶, from chapter ۴ of chapter of Anfal -١

evidence about this matter is that some of other Imams (a.s.) or Imam Baqir (a.s.) and Imam Sadiq (a.s.) had charged Shiites to pay that and take this Islamic tax from them seriously in conditions that they were capable of paying, and we mention some :examples in continue

Muhammad ibn Zayd Tabari" quotes that one of merchants from Fars who were " -١ one of friends of Imam "Ali ibn Mousa Al-Reza (a.s.)" wrote a letter to his holiness and :asked for the Tahlil (to make Halaal) of Khums, his holiness wrote him

In the name of Allah the compassionate the merciful, Allah is most granter and" generous, he had made a prize for any good act and deprivation of prize for abstaining from good acts; there is no Halaal (free and permitted to use) asset unless Allah has made it Halaal (know that) Khums helps us to organize religious tasks and also tasks about our family and our Shiites, and we save our honor by that against .tyrants

... Therefore, do not ignore paying of Khums

Muslim is a person who is loyal to the divine oath and pledge, not in the way his (tongue says that and his hearts denies".(١

And also the same person quotes that a group came to Imam "Ali ibn Mousa Al- -٢ Reza (a.s.)" from Khorasan and asked him to exempt them of paying Khums, Imam said: "I do not permit such a thing, you express your kindness to me by your words, but you withhold the right which Allah

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.Wasael Al-Shi'aa, vol. ۶, chapter ۳ from chapters of Anfal, Hadith ۲ -١

has legislated for us and has made us its servants from us, I do not exempt any of (you, do not exempt, do not exemp". (1)

3- Abu Basir quotes from Imam Baqir (a.s.) that I heard that his holiness was saying: "Anyone who buy something from Khums, Allah will not forgive him because he has (bought a thing which is not Halaal for him". (2)

Moreover, cabbalas 8, 9 and 10 of this chapter and also cabbalas 1, 2, 3, 4, 5, and 6 of chapter eight from chapters of "What Khums is obligatory in it" say that some of Imams (a.s.) not only didn't permit the Tahlil of Khums, but also took that seriously for spending in necessary cases.

It is understood well from these cabbalas that the matter is not permanent and forever, but it is exclusive to specific conditions like some of tax exemptions.

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Third, has been about a specific person, which means that a specific person had came to Imam (a.s.) and Imam exempt him from paying Khums by considering his conditions.

Example of this matter is Hadith 13 of chapter 1 from chapters of Anfal(3) which shows that a person called "Hakam ibn Oliya Asadi" came to Imam Baqir (a.s.) while he had brought the Khums of his assets, his holiness took that Khums and then forgive it to him.

Because the conditions of this person were in the form that because of need or encourage or any other purpose, it was best thing to do to exempt him from paying Khums.

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1- Wasael Al-Shi'aa, vol. 6, chapter 3, Hadith 3.

۲- Wasael Al-Shi’aa, vol. ۶, chapter ۳, Hadith ۵.

۳- Wasael Al-Shi’aa, vol. ۶.

the sentence that Imam said “I make this Halaal for you” is a proof for the fact that this order had not been a general ruling, unless this expression doesn’t make any .sense

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Fourth, are cabbalas which theirs contents are about Tahlil but it clears by noticing that the meaning of them is not Khums, but it is “Anfal” (Spoils and also public (resources

Like cabbala ۱۲ of chapter ۴ from chapters of Anfal which the late owner of Wasael has mentioned that with other cabbalas of Tahlil in one chapter, but it is understood .(well from below of the cabbala that it is related to Anfal lands (public resources

.Therefore, all emphasize of this cabbala is on the issue of lands and fields

.And also seventeenth cabbala of this chapter

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Fifth, are cabbalas which are not exclusive to specific time or person, and their .features are absolute Tahlil, that are only three cabbalas which we study in continue

First is the cabbala that “Salim ibn Mukram” (Abu Khadija) quotes from Imam Sadiq (a.s.) that I was there when someone came to Imam (a.s.) and said I want you to permit me for sexual intercourse with women, Imam was frightened by his words; a person from attendance said he does not mean to rape people, but he means that he wants to buy a female servant (from spoils and assets which their Khums has not been paid) or a women to marry him, or a heritage which he receives, or the income of business or the

thing that someone gives him as a gift; Imam (a.s.) said these are all Halaal for all of our Shiites, consisting those who are present here or absent, those who are dead or alive, or those who will be born until the end of days, these are Halaal for everyone.(1)

Although nothing has been mentioned explicitly about the Khums in text of Hadith, but the thing which Imam (a.s.) has made Halaal for everyone consisting of merchandise and spoils of war and gifts should be an asset which Khums has been implied on it.

But we should note that first of all, the document of this Hadith is weak because Salim ibn Mukram who his another name is Abu Khadija is the subject of lots of discussions among scholars of Rijal science; some persons considered him reliable and some others considered him very weak, and some scholars has stop discussing about him and expressed no comment, and accordingly cabbalas which he had quoted alone are not acceptable.

Secondly, if we pay little attention to the question which has been asked from Imam, it clears that whole discussion in cabbala is about female servants whom Khums had been implied on them or women who their Mahr (marital gift) had been paid from assets which their Khums had not been paid, or a female servant or a women who has been given to a person with gifts and heritages which Khums had implied on them.

Briefly, content of Hadith is completely about women and wives who

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1- Wasael Al-Shi'aa, vol. ۶, chapter four of Anfal, Hadith ۴.

are given to a Muslim, and either their Mahr or they themselves have been one of cases of implication of Khums and the answer of Imam (a.s.) is also exclusive to this part, unless this does not any sense that a person asks about women and another .person from attendance generalize his words to everything

Therefore the last thing which is understood from this Hadith is that any right which belongs to the Khums of Mahr of women and spouses has been made Halaal by Imam (a.s.) for anytime and anyone of Shiites in order for "purity of birth" which means legitimacy of children, and as we said before this is the matter which our Faqihs had expressed in Fiqh books as an exception, but it could not be the proof of forgiveness .of Khums forever, but forgiveness is exclusive to the issue of wife and female servant

Also we know that according to cabbalas of chapter of "Mahr" (marital gift) if a person has decided not to pay the Mahr of a woman or pay it from a Haraam asset, he is (considered as adulterer.(١

Although some Faqihs understood Tahrim (being Haraam) and some others Karahat (being disliked) from this kind of Ahadith, but anyhow it shows that paying Mahr from asset which is not completely owned by a person is not without influence on the condition of child and accordingly this part of Khums has been forgiven in order for .purity of children

There it is not possible to prove a

Refer to Wasael Al-Shi"aa, vol. ١۵, pages ٢١ ٢٢ ٢٣ (chapter ١١ from chapters of - ١ .(Mahrs

.thing with this cabbala which has neither enough implication nor reliable document

Second one is a Hadith that "Ma'aaz ibn Kathir" quotes from Imam Sadiq (a.s.) that he said: "There is lots of opportunities for our Shiites in order to spend their wealth in charity in the way of Allah, but when our Qa'im (he who arises) arises, any treasure which anyone has saved will become Haraam for him, in order to give that treasure to .him and use it for achieving to his goals"

But as it clears by an accurate look, nothing has been mentioned about the issue of Khums in this Hadith, but it points to the fact that capitalists and rich people of the nation can save wealth and also spend in charity in the way of Allah until the day that Mahdi (a.s.) arises, then in that day they should give all of their savings to him in order .to use them for advancement and expansion of justice of earth

The best reason for the fact that Hadith has no relation with Khums is that he says they should give all of their savings to Mahdi not only its Khums (one fifth), because if .the purpose of Hadith was the issue of Khums he should say give its Khums to him

Also we should note that there is "Muhammad ibn Sinan" among tellers of this Hadith whom his condition is not clear for the scholars of Rijal science and they have .arguments about him

Third one is a Mursala Hadith

which has been quoted in "Interpretation of Ayyashi" from Imam Sadiq (a.s.) that he said: "The most difficult thing which people are involved with in the day of judgment is that the owner of Khums stands and say My God! My Khums (has not been paid), but our Shiites are exempted from this matter."

It is obvious without saying anything that, this Hadith is Mursala and an unknown person has quoted that from Imam Sadiq (a.s.) and it is impossible to refer to it according to the Hadith science and this is an expression which all scholars of Rijal have accepted.

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We conclude from all that we said, that there is no acceptable proof for Tahlil of Khums in an absolute way available, and those who claim like this in fact had not studied these cabbalas enough, unless it is clear according to above assortment that there is no cabbala available which its content shows the exemption of all people from Khums.

Albeit if we see cabbalas by an elementary view, maybe this hallucination occurs, but as we saw it clear by studying and analyzing and correct assorting of cabbalas that hallucination of absolute Tahlil is not correct and Khums is still available as an Islamic order.

And all people have to perform that like other duties.

Had Khums Been Taken from People at the Beginning of Islam?

For answering this question we should say that if purpose of beginning of Islam is the time of Imams (a.s.), then the answer is positive, because as it is understood from previous discussions most of leader

Imams (a.s.) not only took the Khums of all kinds of income in their time, but their ordered people emphasizing on paying this Khums, and even they had chosen special deputies and agents for collecting this Khums and people like "Ali ibn Mahzyar" and "Abu Ali ibn Rashid" and like them had this duty.(۱)

And if the purpose of beginning of Islam is specifically the time of Prophet (S) and Amir Al-Mu'mineen (a.s.), then we should say that Khums had been taken in their time from spoils of war and also mines and treasures and diving (gems which gains by diving from the sea) and the proof of this matter has been quoted in Sunan of Beihaghi that in time of Ali (a.s.) a person found a treasure and came to Imam, Imam (a.s.) said: Four fifth of that asset is yours and one fifth (Khums) of that asset is mine.(۲)

And also another matter like this has been quoted in the same book in another Hadith.(۳)

And also in that same book which is one famous resources of Ahlul Sunnah has been quoted that he said: there is Khums in "Rekaz"; people asked that what is Rekaz? He said: Gold and silver which Allah has created from the day of beginning in the earth.(۴)

Also, a detailed Hadith about this matter has been quoted in Wasael Al-Shi'aa from the time of Ali (a.s.) that a person found a "Rekaz" (mine of treasure) in the time of Ali (a.s.) and when his holiness informed

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۱- Refer to Ahadith of chapter eight from chapters of "What Khums is obligatory in it", vol. ۶ of Wasael Al-Shi'aa.

۲- Sunan of Beihaghi, vol. ۴, page ۱۵۶.

۳- Sunan of Beihaghi, vol. ۴, page ۱۵۷.

۴- Sunan of Beihaghi, vol. ۴, page ۱۵۲.

(about that he told that man: Bring its Khums and hand it over.(1)

We had some Ahadith in previous discussions that showed Prophet (S) ordered continuously that there is Khums in Soyoob and people should pay its Khums and as we said before “Soyoob” pronounced as “Oyoob” is plural form of “Sayb” pronounced as “Ghayb” in the meaning of mines and treasures and some persons said that it can also consists of any kind of gift and bestowal and by the way we conclude that order of Khums in other than soils of war had been issued in the time of prophet (S) and Prophet had ordered people to give that in his letters.(2)

But this question remained that if Khums had been taken from all kinds of income in the time of Prophet (S) and Ali (a.s.) or not?

We say in answer to this question that we do not have clear historical evidences about this matter that Khums of all incomes had been taken in the time of Prophet (S) and Ali (a.s.), but this matter makes no problem about this ruling.

Because as we said before, taking and forgiving of this Islamic tax is one of authorities of Islamic government, when government find itself needless or people in trouble it can forgive that but when government has needs and sees the ability of paying in people it can take that, like later Imams who some of them had took Khums and some others had forgave that according to the conditions of

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1- Wasael Al-Shi’aa, vol. ۶, the book of Khums, chapter six, Hadith ۱.

2- Refer to the book “Makateeb Al-Rasool”, pages ۳۹۷ ۴۰۵ and also “Usd Al-Ghaba”, section ۳, page ۳۸.

.people or Bayt Al-Mal

In the time of Prophet (S) and Ali (a.s.) lots of spoils from battles and also great income from Kharaj lands which their rents had been paid to Bayt Al-Mal had gained by Islamic government; amount of these spoils some times were so much that their .Khums could easily solve most of financial problems of Islamic government

And also sometimes income from Kharaj lands were so much that Bayt Al-Mal had been overflowed by assets and in these conditions there were no need for taking .Khums of all incomes and therefore they had forgave it to people practically

At the beginning of Islam when the need of Bayt Al-Mal was so much to resources of income, conditions of Muslims were so unsettled and weak that paying Khums after .Zakat was cumbersome for them, and accordingly Khums had not been taken

But in the time of other Imams (a.s.) when the Khums of spoils of war and also income of Kharaj lands had been taken by usurper caliphs and Imams had not them, and also people had the ability of paying the Khums of all of their incomes, Imams had taken .Khums from them

Briefly, not taking Khums in the time of Prophet (S) and Ali (a.s.) from all kinds of income is not he reason for nonexistence of this ruling in the program of rulings of .Islam

Mentioning this point is also necessary that it is understood from some letters of Prophet (S) which we quoted before that he had taken Khums

.(from “Anfal” (dead land, pasturages and streams

And we read in the book “Kanz Al-Ummal(۱)” which if one famous resources of Ahlul :Sunnah that he said

ان لکم بطول الارض و سهولها و تلاع الاودیه و ظهورها علی ان ترعوا نباتها و تشربوا مائها علی ان تؤدّوا الخمس

?Is allocating Khums for Sadat Discrimination

Some people assume that this Islamic tax which consists twenty percent of lots of assets and half of it has been allocated for Sadat (pl. of Sayyid) and children of Prophet (S) is considered as a kind of racial superiority, and it is possible to see partiality for relatives and discrimination in that, and this matter is not compatible with !the soul of social justice of Islam and universality and generality of that

:Answer

Surely, people who think this way had not studied the conditions and characteristics of this Islamic ruling completely, because the complete answer to this question is hidden :in these conditions; the explanation of this expression is that

First of all, half of Khums which is for Sadat of Bani Hashim should be given exclusively to their poor persons, and only as much as they need for one year to live and nothing more than that; therefore only persons who are either superannuated or ill, and orphan children or any other person who has reached a dead end in costs of living in .any way

Therefore, persons who are able to work and potentially or practically can gain an income which cover their costs of living, never can use this part of Khums, and

۱- Kanz Al-Ummal, vol. ۷, page ۶۵; and in the book “Makateeb Al-Rasool”, page ۳۶۵, it .has been quoted from other resources

the sentence which is famous among people that: "Sadat take Khums even the chute of their house has been made by from gold!" is nothing more than common talk and .has no fundamentals at all

Secondly, poor and needy persons of Bani Hashim do not have the right to spend (anything from "Zakat" and in change they should only use this part of Khums.(١

Thirdly, if the share of Sadat which is half of Khums is more than their need, then that amount should be paid to Bayt Al-Mal, as if their need is more than their share from (Khums, inevitably they should be paid from Bayt Al-Mal or the share of "Zakat".(٢

According to these triple reasons, it clears that in fact no difference had been made .between Sadat and other than Sadat in financial matters

Needy and poor persons of Sadat can cover their costs of living for one year from Zakat but they are deprived from Khums and poor people who are not from Sadat can .use Khums, but they do not have the right to use Zakat

In fact, two sources are available here, source of Khums and source of Zakat, and each of these two groups can only use one of these two resources in equal amount .which is the costs of living for one year

But persons who did not pay attention to these characteristics and conditions assume .that more share has been placed for Sadat from Bayt Al-Mal

The only question that remains is that if there is no difference

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The proofs of this matter that Bani Hashim dynasty have been prevented from -١ taking Zakat are lots of cabbalas which have been quoted in Shiites' and Sonnies' books, and these cabbalas are so much that no place for any kind of doubt will remain, and denying these cabbalas is equal to denying self evidence matters; for information about these cabbalas in Shiite resources you can refer to the book Wasael Al-Shi'aa, vol. ٦, chapter ٢٩ from chapters of "people who deserve Zakat", first, second, third and

fourth Hadith. And Also chapter ۳۰, first Hadith; chapter ۳۱, third Hadith; chapter ۳۲, third, fifth, sixth, seventh and ninth Hadith; chapter ۳۳, first Hadith and chapter ۳۴, fourth Hadith. And for more information about Ahadith of this issue in Sunni resources, you can refer to the book “Sunan of Beihaghi”, vol. ۷; the book “Al-Sadaqat”, page ۲۹, chapter “آل محمّد لايعطون من الصّدقات المفروضات” and page ۳۰, chapter “بيان آل محمّد الّذين تحرّم عليهم الصّدقه المفروضه”. And Also to the book “Majma’ Al-Zawa’ed”, vol. ۲, page ۸۹, chapter “الصّدقه لرسول اللّه و لآله”, and the book “Makateeb Al-Rasool”, pages ۲۱۶, ۲۲۴, ۲۳۰ and ۴۳۲. And to the book “Musannaf” by Abdul Razzaq, vol.۴, page ۵۰, chapter “لا تحلّ الصّدقه لآل محمّد” which there is lots of cabbalas quoted about this matter. And also to the book “Al-Mughani” by Ibn Qudama, p r i n ted in Beirut, vol. ۲, page ۵۱۹, and the book “Sunan of ibn Dawood”, p r i n ted in Beirut, vol. ۲, page ۴۵ and other books.

۲- Wasael Al-Shi’aa, chapter ۳ from chapters of share of Khums, Hadith ۱ and ۲.

?in result between these two sources then what benefit can this program have

The answer to this question can also be understood by noticing a matter, and the matter is that there is an important difference between Khums and Zakat and the difference is that Zakat is one of taxes which in fact considers as public assets of Islamic society, therefore its usages should be in this same part, but Khums is one of taxes which is related to Islamic government; it means that costs of Islamic government and its governor should be provided from this source.

Therefore, deprivation of Sadat from public assets (Zakat) in fact is for preventing the relatives of Prophet (S) from this part, in order not to give anybody any excuse that Prophet (S) has dominated his relatives on public assets.

But needy and poor persons of Sadat should also be provided; this matter has been foreseen in Islamic laws in the way that they use the budget of Islamic government not the public budget.

Therefore, not only Khums is a superiority or advantage for Sadat, but it is a kind of putting them aside for public benefits in order that no misdeem can be made.(۱)

In other hand, these cabbalas prove this fact that "Zakat" is not a considerable income which anyone tries to gain that and people use that for gaining blessings, but these are dirty assets because a person had not worked for that and pure and clean assets are those which human works and endeavors for

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۱- It is considerable that in some of Islamic cabbalas like Hadith ۲, chapter ۲۹ from chapter of "people who deserve Zakat", vol. ۶ of the book "Wasael Al-Shi'aa", Zakat has been expressed as "Awsakh" (dirt of people's hands), and the purpose of this expression is to encourage Bani Hashim to this deprivation that they have and in another side, show people that they should provide their needs with their own efforts as much as they can and they should not impose themselves to Bayt Al-Mal, and only people who have crushed under the pressure of life can be provided in this way.

.gaining them

And the main goal is that Zakat reaches people who really deserve it not the ones who are lazy and idle and do not want to work for their living, albeit this is salubrious and completely without obstacle for people who really deserve Zakat and seemingly this "خذ من (expression (Awsakh) is taken from the holy verse (verse ۱۳۰ of Tawba Sura because this verse say that paying Zakat is the cause of purity and "اموالهم صدقه تطهّرهم .we know that in order to pure a thing we should always remove its dirt from it

It is interesting that this matter has been mentioned it Ahadith of Shi'aa and Ahlul Sunnah; we read in a Hadith from Imam Sadiq (a.s.) that a group of people from Bani Hashim came to Prophet (S) and asked his holiness to launch them in the duty of collection Zakat of four-footed animals and they said we deserve more for this share which Allah has specified for collectors of Zakat; Prophet (S) said: Bani Abdul Muttalib! Zakat is not Halaal (permitted) neither for me nor you, but I promise my intercession in change of this deprivation ... you should be satisfied of thing s which Allah and your Prophet have specified for you (and do not deal with Zakat)! They said we got (satisfied.(۱)

It is well understood from this Hadith that Bani Hashim had known this matter as a deprivation for themselves and the Prophet (S) promised them the intercession in .change

We read a Hadith

.Wasael Al-Shi'aa, vol. ۶, page ۱۸۶ -۱

in "Sahih of Muslim" which is one of most famous books of Ahlul Sunnah that briefly says "Abbas" and "Rabi'a ibn Harith" came to Prophet (S) and asked him that their sons who were two young persons called "Abdul Muttalib ibn Rabi'a" and "Fazl ibn Abbas" to be the collectors of Zakat and take a share like others in order to provide the costs of their marriages, Prophet (S) denied that and ordered that their means of marriage to be provided from another way and Mahr to be paid from Khums.(١)

It is also understood from this Hadith which is too long with details that Prophet (S) insisted that prevent their relatives from achieving Zakat (public assets).

It cleared from the things which we said that Khums is not only considered as an advantage for Sadat, but it is a kind of deprivation in order to save public benefits.

١- Sahih of Muslim, vol. ٢, page ٧٥٢.

About center

In the name of Allah

هَلْيَسْتَوِيالَّذِينَيَعْلَمُونَوَالَّذِينَلَايَعْلَمُونَ

?Are those who know equal to those who do not know

al-Zumar: ٩

:Introduction

Ghaemiyeh Computer Research Institute of Isfahan, from ٢٠٠٧, under the authority of Ayatollah Haj SayyedHasanFaqihImami (God blesses his soul), by sincere and daily efforts of university and seminary elites and sophisticated groups began its activities .in religious, cultural and scientific fields

:Manifesto

Ghaemiyeh Computer Research Institute of Isfahan in order to facilitate and accelerate the accessibility of researchers to the books and tools of research, in the field of Islamic science, and regarding the multiplicity and dispersion of active centers in this field

and numerous and inaccessible sources by a mere scientific intention and far from any kind of social, political, tribal and personal prejudices and currents, based on performing a project in the shape of (management of produced and published works from all Shia centers) tries to provide a rich and free collection of books and research papers for the experts, and helpful contents and discussions for the educated generation and all classes of people interested in reading, with various formats in the .cyberspace

:Our Goals are

(propagating the culture and teachings of Thaqalayn (Quran and Ahlulbayt p.b.u.t-

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replacing useful contents with useless ones in the cellphones, tablets and computers-

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paving the way for the publications and authors to digitize their works-

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relationship with similar centers-

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mentioning the sources-

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Holding virtual educational courses for the public-

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:Appreciation

We would appreciate the centers, institutes, publications, authors and all honorable .friends who contributed their help and data to us to reach the holy goal we follow

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